

REMARKS/ARGUMENTS

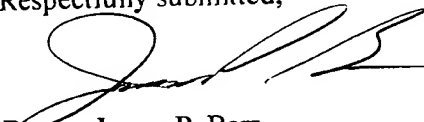
Claims 1-29 are pending in the application, claims 1-29 stand rejected. Claims 1, 5-8, 26 and 27 have been amended. Claims 1-29 remain pending in the case.

Claims 1-29 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner has objected to the terminology "average" as being indefinite. Applicants have amended the claims to delete the terminology "average." In view of the above amendments, Applicants believe that the present pending claims are now in condition for allowance.

Claims 1-29 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting in view of co-pending application, Serial Number 09/440,113. Applicants hereby advise the Examiner that co-pending application, Serial Number 09/440,113 has now been expressly abandoned. A copy of the Express Abandonment is enclosed herewith. In view of the abandonment of the co-pending application, Applicants believe that the present pending application is now in condition for allowance.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with markings to show changes made".

Respectfully submitted,

  
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6. (Amended) A sanitary napkin as recited in claim 5, wherein the [average] absorption capacity of said liquid-absorbing section and said breathable extension component have a ratio of about 20:1.

7. (Amended) A sanitary napkin as recited in claim 5, wherein the [average] absorption capacity of said liquid-absorbing section and said breathable extension component have a ratio ranging from about 20:1 to about 26:1.

8. (Amended) A sanitary napkin as recited in claim 5, wherein the [average] absorption capacity of said liquid-absorbing section and said breathable extension component have a ratio ranging from about 26:1 to about 29:1.

26. (Amended) A sanitary napkin for placement in a crotch portion of an undergarment of a wearer, comprising:

- f) a liquid-absorbing section for absorbing bodily exudate, said liquid-absorbing section including a longitudinal axis, a front portion and a rear portion, two longitudinal sides opposed to one another and extending between said front portion and said rear portion, said liquid-absorbing section including:
  - (i) a fluid-permeable cover layer;
  - (ii) an absorbing system underneath said fluid-permeable cover layer;
  - (iii) a liquid-impervious barrier layer underneath said absorbing system
- g) a breathable extension component projecting from said liquid-absorbing section, said breathable extension component including a proximal edge and a distal edge spaced from said proximal edge by a distance of at least about 2.5 cm, said proximal edge being united to said liquid absorbing section;
- h) said breathable extension component including a segment projecting from a longitudinal side of said liquid-absorbing section, said segment being adjacent the rear portion of said liquid-absorbing section;
- i) said segment manifesting a moisture vapor transmission rate of least about 3000 g/m<sup>2</sup>/day;
- j) said breathable extension component having an [average] absorption capacity that is substantially less than an [average] absorption capacity of said liquid-absorbing section.

27. (Amended) A sanitary napkin for placement in a crotch portion of an undergarment of a wearer, comprising:

f) a liquid-absorbing section for absorbing bodily exudate, said liquid-absorbing section including:

- (i) a longitudinal axis;
- (ii) a front portion and a rear portion;
- (iii) two longitudinal sides opposed to one another and extending between said front portion and said rear portion;
- (iv) a pair of flaps projecting from said liquid-absorbing section along generally opposite directions, each flap being adjacent to a respective longitudinal side and being capable of being folded about the crotch portion of the undergarment of the wearer when the sanitary napkin is placed in the crotch portion of the undergarment of the wearer;
- (v) a fluid-permeable cover layer;
- (vi) an absorbing system underneath said fluid-permeable cover layer;
- (vii) a liquid-impervious barrier layer underneath said absorbing system;

g) a breathable extension component projecting from said liquid-absorbing section, said breathable extension component including a proximal edge and a distal edge spaced from said proximal edge by a distance of at least about 2.5 cm, said proximal edge being united to said liquid-absorbing section;

h) said breathable extension component including a portion that is spaced apart from one of said flaps relative the longitudinal axis of said liquid-absorbing section;

i) said portion manifesting a moisture vapor transmission rate of at least about 3000 g/m<sup>2</sup>/day;

j) said breathable extension component having an [average] absorption capacity that is substantially less than an [average] absorption capacity of said liquid-absorbing section.